## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:19-cv-00124-FDW

TEVIN JEROME GAITHER,	)	
Petitioner,	)	
vs.	)	<u>ORDER</u>
MECKLENBURG COUNTY CENTRAL J	JAIL, )	
Respondent.	)	

**THIS MATTER** is before the Court upon pro se Petitioner Tevin Jerome Gaither's self-styled "Petition for Writ of Habeas Corpus." (Doc. No. 1.)

Petitioner filed the instant Petition while he was a pre-trial detainee at the Mecklenburg County Detention Center Central, awaiting trial in federal district court on eight (8) counts of distribution and/or possession with intent to distribute crack cocaine, and three (3) counts of possession of a firearm in furtherance of drug trafficking. See Indict., United States v. Tevin Jerome Gaither, No. 5:19-CR-12 (W.D.N.C.), Doc. No. 3. Petitioner argued he was being held illegally because the Mecklenburg County Sheriff's Office ("MCSO") refused to permit him access to bond and/or pretrial release.

Petitioner's allegation is not grounded in fact. A federal magistrate judge, not the MCSO, denied Petitioner bond and pretrial release. <u>See</u> Detention Order, <u>id.</u> at Doc. No. 9.

Regardless, Petitioner plead guilty on July 22, 2019, to Counts 1, 10, and 11 of the indictment. See Plea Agree., id. at Doc. No. 19; Accept. of Plea, id. at Doc. No. 21. He was sentenced on October 22, 2019, to more than ten years in federal prison and remanded to the custody of the Federal Bureau of Prisons. See J., id. at Doc. No. 40. As such, Petitioner's

petition for release from custody of the Mecklenburg County Central Jail is moot and shall be dismissed as such.

IT IS, THEREFORE, ORDERED that the "Petition for Writ of Habeas Corpus" (Doc. No. 1) is **DISMISSED** as moot.

Signed: November 26,

Frank D. Whitney Chief United States District Judge